

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BRUGIDOU et al

Atty. Ref.: 1721-41

Serial No. **Unknown**

Group:

National Phase of: **PCT/FR00/01723**International Filing Date: **21 June 2000**Filed: **Herewith**

Examiner:

For: **MEANS FOR IDENTIFYING A NOVEL CLASS OF GENES
RESISTANT TO THE RICE YELLOW MOTTLE VIRUS
AND THE LOCUS OF A MAJOR GENE OF RESISTANCE
TO THE VIRUS, AND THEIR APPLICATIONS**

* * * * *

December 20, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

STATEMENT

The attached paper and computer readable copies of the Sequence Listing are
the same. No new matter has been added.

Respectfully submitted,

NIXON & VANDERHYE P.C.By: **B. J. Sadoff**

Reg. No. 36,663

BJS:Imy

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FORM PTO-1390 (REV 11-2000)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1721-41
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/018433
INTERNATIONAL APPLICATION NO. PCT/FR00/01723	INTERNATIONAL FILING DATE 21 June 2000	PRIORITY DATE CLAIMED 21 June 1999

TITLE OF INVENTION

**MEANS FOR IDENTIFYING A NOVEL CLASS OF GENES RESISTANT TO THE RICE YELLOW MOTTLE VIRUS AND THE LOCUS
OF A MAJOR GENE OF RESISTANCE TO THE VIRUS, AND THEIR APPLICATIONS**

APPLICANT(S) FOR DO/EO/US

BRUGIDOU et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 To 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information. PTO-1449 with copy of International Search Report and Statement with attached paper and computer readable copies of Sequence Listing

U.S. APPLICATION NO. (If known) 10/018433 <small>Unknown</small>		INTERNATIONAL APPLICATION NO. PCT/FR00/01723		ATTORNEY'S DOCKET NUMBER 1721-41																															
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY																															
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1040.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO\$740.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$710.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>																																			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)). <div style="text-align: right;">\$ 890.00</div>																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;"></th> <th style="width:10%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>14</td> <td>-20 =</td> <td>0</td> <td>X</td> <td>\$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>-3 =</td> <td>0</td> <td>X</td> <td>\$84.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td></td> <td>\$280.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> <td>\$ 1020.00</td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total Claims	14	-20 =	0	X	\$18.00	Independent Claims	1	-3 =	0	X	\$84.00	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)					\$280.00	TOTAL OF ABOVE CALCULATIONS =					\$ 1020.00		
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00																															
SUBTOTAL =				\$ 1020.00																															
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).				\$ 0.00																															
TOTAL NATIONAL FEE =				\$ 1020.00																															
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 0.00																															
Fee for Petition to Revive Unintentionally Abandoned Application (\$1280.00 - Small Entity = \$640.00)				\$ 0.00																															
TOTAL FEES ENCLOSED =				\$ 1020.00																															
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				Charged \$																															
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1020.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.</p> <p>d. <input checked="" type="checkbox"/> The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>NIXON & VANDERHUYE P.C. 1100 North Glebe Road, 8th Floor Arlington, Virginia 22201-4714 Telephone: (703) 816-4000</p> <div style="text-align: right; margin-top: 20px;"> _____ SIGNATURE B. J. Sadoff _____ NAME <div style="display: flex; justify-content: space-between;"> 36,663 D cember 20, 2001 </div> <div style="display: flex; justify-content: space-between;"> REGISTRATION NUMBER Date </div> </div>																																			